

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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OSCAR GARNER,

Plaintiff,

v.

PAUL SUMNICH, BELINDA SCHRUBBE,  
CYNTHIA THORPE and MARY GORSKE,

Defendants.

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ORDER

11-cv-829-slc

In a January 17, 2014 order, the Court of Appeals for the Seventh Circuit vacated this court's September 6, 2013 order granting summary judgment to defendants and remanded the case so that this court could locate counsel willing to represent plaintiff. Now, attorney Donald K. Schott has agreed to represent plaintiff, with the understanding that he will serve with no guarantee of compensation for his services. It is this court's intention that the scope of the lawyer's representation extends to proceedings in this court only.<sup>1</sup>

Plaintiff should understand that because he is now represented in this case, he may not communicate directly with the court from this point forward. He must work directly with his lawyer and must permit him to exercise his professional judgment to determine which matters are appropriate to bring to the court's attention and in what form. Plaintiff does not have the right to require counsel to raise frivolous arguments or to follow every directive he makes. He should be prepared to accept the strategic decisions made by his lawyer even if he disagrees with some of them. If plaintiff decides at some point not to work with this lawyer, he is free to end

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<sup>1</sup> "Proceedings in this court" include all matters leading up to a final judgment on the merits, the filing of a Notice of Appeal, if appropriate, and ensuring that all steps are taken to transfer the record to the Court of Appeals for the Seventh Circuit.

his representation, but plaintiff should be aware that it is unlikely that the court will recruit a second lawyer to represent him.

The court will schedule a status conference to set the schedule for the remainder of proceedings in this lawsuit.

Entered this 25<sup>th</sup> day of August, 2014.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge